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Sterne Kessler Goldstein Fox
ATTORNEYS AT LAW

OIPE IAP68
JUN 05 2006
PATENT & TRADEMARK OFFICE

Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Horner
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Donald R. Banowit
Peter A. Jackman
Jeffrey S. Weaver
Brian J. Del Buono
Edward W. Yee
Vincent L. Capuano
Virgil Lee Beaston
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Rae Lynn P. Guest
Daniel A. Klein

Jason D. Eisenberg
Michael D. Specht
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longsworth
Lori A. Gordon
Laura A. Vogel
Bryan S. Wade
Bashir M.S. Ali
Shannon A. Carroll
Matthew E. Kelley
Michelle K. Holoubek+
Marsha A. Rose+

Christopher J. Walsh
W. Blake Coblentz+
James J. Pohl*
Young Tang
John T. Haran+
Mark W. Rygiel

Registered Patent Agents•
Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse

Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie

*Admitted only in Maryland
+Admitted only in Virginia
•Practice Limited to Federal Agencies

June 5, 2006

WRITER'S DIRECT NUMBER:
(202) 772-8591
INTERNET ADDRESS:
JMILLS@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1636

Mail Stop: Amendment

Re: U.S. Utility Patent Application
Appl. No. 10/058,292; Filed: January 30, 2002
For: **Recombinational Cloning Using Engineered Recombination Sites**
Inventors: HARTLEY *et al.*
Our Ref: 0942.285000H/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of $180.00 to cover the Information Disclosure Statement fee;

2. Fourth Supplemental Information Disclosure Statement;

3. List of cited references on Form PTO-1449 (**5** sheets);

4. Copies of references **AM9 and AS114-AS118** listed on Form PTO-1449 (**14** documents);

5. Fifth Supplemental Information Disclosure Statement;

6. List of cited references on Form PTO-1449 (**21** sheets);

7. Copies of references **AL20-AP20, AR200-AT200, AL21-AP21, AR201-AT201, AL22-AP22, AR202-AT202, AL23-AP23, AR203-AT203, AL24-AN24, AR204-AR219 and AR220-AT220** listed on Form PTO-1449 (**84** documents);

8. Sixth Supplemental Information Disclosure Statement;

9. List of cited references on Form PTO/SB/08A (**2** sheets);

10. Copies of references **AO24-AO25** listed on Form PTO/SB/08A (**6** documents);

11. List of cited references on Form PTO/SB/08B (**3** sheets);

12. Copies of references **AR221-AS226** listed on Form PTO/SB/08B (**17** documents); and

13. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

BJD/JKM:bac
Enclosures

538921_1.DOC

OIPE IAP68
JUN 05 2006
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
HARTLEY *et al.*
Appl. No.: 10/058,292
Filed: January 30, 2002
For: **Recombinational Cloning Using Engineered Recombination Sites**

Confirmation No.: 3058
Art Unit: 1636
Examiner: Guidry, G.L.
Atty. Docket: 0942.285000H/BJD/JKM

Fourth Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed November 4, 2003, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

06/06/2006 HALI11 00000113 10058292
01 FC:1806 180.00 OP

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of $180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

Date: June 5, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

293435_1.DOC

OIPE
JUN 05 2006
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No.: 3058
HARTLEY *et al.*	Art Unit: 1636
Appl. No.: 10/058,292	Examiner: Guidry, G.L.
Filed: January 30, 2002	Atty. Docket: 0942.285000H/BJD/JKM
For: **Recombinational Cloning Using Engineered Recombination Sites**	

Fifth Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents AL20 to AN24, AR200 to AR219, and AR220 to AT220 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents AA20 to AB23, cited on the attached IDS Forms are not submitted. In addition, a copy of documents AS219 and AT219 are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system."

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents AL20 and AM20 cited on Form PTO 1449:

Document AL20, FR 2 670 502, is in the French language. An English language abstract of document AL20 is attached as document AR220.

Document AM20, WO 92/10577, is in the French language. An English language abstract of document AM20 is attached as document AR220.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

Application No. 09/984,239, Brasch *et al.*, filed October 29, 2001, and listed as Document AS219; and

Application No. 10/633,690, Byrd *et al.*, filed August 5, 2003, and listed as Document AT219.

In accordance with the recent Federal Circuit decision in *Dayco Prods., Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. 2003), Applicants submit herewith Office Actions from:

the related co-pending U.S. Patent Application No. 09/432,085, Hartley et al, as Documents AS216 and AT218;

the related co-pending U.S. Patent Application No. 09/695,065, Hartley *et al*, as Document AT217;

the related co-pending U.S. Patent Application No. 09/855,797, Hartley et al, as Document AS217;

the related co-pending U.S. Patent Application No. 09/907,719, Hartley et al, as Documents AR216 and AS218;

the related co-pending U.S. Patent Application No. 10/058,291, Hartley et al, as Document AT216;

the related co-pending U.S. Patent Application No. 10/162,879, Hartley *et al*, as Document AR217;

the related co-pending U.S. Patent Application No. 10/796,868, Hartley *et al*, as Document AR219; and

the related co-pending U.S. Patent Application No. 10/820,133, Hartley *et al*, as Document AR218;

which are directed to related technical subject matter. The identification of these applications and Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed

publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of $180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

Date: June 5, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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OIPE JUN 05 2006 PATENT & TRADEMARK OFFICE IAP68

FORM PTO-1449

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.	APPLICATION NO.
0942.285000H//BJD/JKM	10/058,292
APPLICANT(S)	
Hartley *et al.*	
FILING DATE	ART UNIT
January 30, 2002	1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
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	AH						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM9	WO 02/00875	01/03/2002	WIPO			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	114	Ball, C.A., and Johnson, R.C., "Efficient Excision of Phage λ from the *Escherichia coli* Chromosome Requires the Fis Protein," *J. Bacteriol. 173*: 4027-4031, American Society for Microbiology (July 1991)
	AT	114	Institut Pasteur Website, Introduction: http://www.pasteur.fr/recherche/unites/pmtg/integ/intro.html (accessed 6/19/2003)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.285000H//BJD/JKM	APPLICATION NO. 10/058,292
	APPLICANT(S) Hartley *et al.*	
	FILING DATE January 30, 2002	ART UNIT 1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	115	Institut Pasteur Website, Figure 1: http://www.pasteur.fr/recherche/unites/pmtg/integ/fig1.html (accessed 6/19/2003)
	AS	115	Institut Pasteur Website, Figure 2: http://www.pasteur.fr/recherche/unites/pmtg/integ/fig2.html (accessed 6/19/2003)
	AT	115	Institut Pasteur Website, Figure 3: http://www.pasteur.fr/recherche/unites/pmtg/integ/fig3.html (accessed 6/19/2003)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.285000H//BJD/JKM	APPLICATION NO. 10/058,292
	APPLICANT(S) Hartley *et al.*	
	FILING DATE January 30, 2002	ART UNIT 1636

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	AA						
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	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	116	Institut Pasteur Website, Main Page: http://www.pasteur.fr/recherche/unites/pmtg (accessed 6/19/2003)
	AS	116	Kuempel, P., *et al.*, "Use of a transposon (Tn*dif*) to obtain suppressing and nonsuppressing insertions of the *dif* resolvase site of *Eschericia coli*," *Genes & Development 10*:1162-1171, Cold Spring Harbor Laboratory Press (May 1, 1996)
	AT	116	Lee, M.H., *et al.*, "Site-specific integration of mycobacteriophage L5: Integration-proficient vectors for *Mycobacterium smegmatis, Mycobacterium tuberculosis*, and bacille Calmette-Guérin," *Proc. Natl. Acad. Sci. USA 88*:3111-3115, National Academy of Sciences (1991)

EXAMINER	DATE CONSIDERED

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FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.285000H//BJD/JKM	APPLICATION NO. 10/058,292
	APPLICANT(S) Hartley *et al.*	
	FILING DATE January 30, 2002	ART UNIT 1636

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	117	Lenski, R.E., *et al.*, "Genetic Analysis of a Plasmid-Encoded, Host Genotype-Specific Enhancement of Bacterial Fitness," *J. Bacteriol. 176*:3140-3147, American Society For Microbiology (1994)
	AS	117	Manning, P.A., *et al.*, "Gene Capture in *Vibrio cholera*," *Trends in Microbiology 7*:93-95, Elsevier Science (1999)
	AT	117	Shuman, S., "Novel Approach to Molecular Cloning and Polynucleotide Synthesis Using Vaccinia DNA Topoisomerase," *J. Biol. Chem. 269*:32678-32684, American Society for Biochemistry and Molecular Biology, Inc. (1994)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.285000H//BJD/JKM	APPLICATION NO. 10/058,292
	APPLICANT(S) Hartley *et al.*	
	FILING DATE January 30, 2002	ART UNIT 1636

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	118	Stuurman, J., *et al.*, "Single-site manipulation of tomato chromosomes *in vitro* and *in vivo* using Cre-*lox* site-specific recombination," *Plant Molecular Biology 32*:901-913, Kluwer Academic Publishers (November 27, 1996)
	AS	118	Zechiedrich, E.L., *et al.*, "Topoisomerase IV, not gyrase, decatenates products of site-specific recombination in *Escherichia coli*," *Genes Dev. 11*:2580-2592, Cold Spring Harbor Laboratory Press (1997)
	AT		

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

OIPE JUN 05 2006 PATENT & TRADEMARK OFFICE IAP88

FORM PTO-1449

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.	APPLICATION NO.
0942.285000H/BJD/JKM	10/058,292
APPLICANTS	
Hartley *et al.*	
FILING DATE	ART UNIT
January 30, 2002	1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA20	4,808,537	02/28/1989	Stroman *et al.*			10/30/1984
	AB20	4,855,231	08/08/1989	Stroman *et al.*			09/25/1985
	AC20	4,959,217	09/25/1990	Sanders *et al.*			05/22/1986
	AD20	5,451,513	09/19/1995	Maliga *et al.*			08/25/1993
	AE20	5,654,182	08/05/1997	Wahl *et al.*			06/07/1995
	AF20	6,040,138	03/21/2000	Lockhart *et al.*			09/15/1995
	AG20	6,066,778	05/23/2000	Ginsburg *et al.*			11/06/1996
	AH20	6,303,301	10/16/2001	Mack			05/29/1998
	AI20	6,309,822	10/30/2001	Fodor *et al.*			12/23/1996
	AJ20	6,333,155	12/25/2001	Lockhart *et al.*			12/18/1998
	AK20	2002/0106797	08/08/2002	Miles *et al.*			03/12/2001

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL20	FR 2 670 502	06/19/1992	France			Yes X No
	AM20	WO 92/10577	06/25/1992	WIPO			Yes X No
	AN20	WO 94/20604	09/15/1994	WIPO			Yes No
	AO20	WO 96/19497	06/27/1996	WIPO			Yes No
	AP20	WO 00/29000	05/25/2000	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	200	Agah, R., *et al.*, "Gene Recombination in Postmitotic Cells. Targeted Expression of Cre Recombinase Provokes Cardiac-restricted, Site-specific Rearrangement in Adult Ventricular Muscle In Vivo," *J. Clin. Invest. 100*:169-179, The American Society for Clinical Investigation, Inc. (July 1997)
	AS	200	Baum, J.A., "Tn*5401*, a New Class II Transposable Element From *Bacillus thuringiensis*," *J. Bacteriol. 176*:2835-2845, American Society for Microbiology (1994)
	AT	200	Benoist, C. and Chambon, P., "*In vivo* sequence requirements of the SV40 early promoter region," *Nature 290*:304-310, Macmillan Journals, Ltd. (1981)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.285000H/BJD/JKM	APPLICATION NO. 10/058,292
	APPLICANTS Hartley *et al.*	
	FILING DATE January 30, 2002	ART UNIT 1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA21	2002/0162126	10/31/2002	Beach *et al.*			05/24/2001
	AB21	2002/0182731	12/05/2002	Ji *et al.*			01/25/2002
	AC21	2003/0027289	02/06/2003	Farmer			04/05/2002
	AD21	2003/0054555	03/20/2003	Farmer *et al.*			09/17/2002
	AE21	2003/0059900	03/27/2003	Farmer			01/17/2002
	AF21	6,544,790	04/08/2003	Sabatini			09/18/2000
	AG21	2003/0100110	05/29/2003	Hartley *et al.*			11/02/1999
	AH21	2003/0135888	07/17/2003	Zhu *et al.*			09/26/2002
	AI21	2003/0153055	08/14/2003	Miles *et al.*			02/20/2003
	AJ21	2003/0175772	09/18/2003	Wang			12/26/2002
	AK21	2003/0176644	09/18/2003	Byrd *et al.*			02/07/2002

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL21	WO 00/52027	09/08/2000	WIPO			Yes No
	AM21	WO 00/52141	09/08/2000	WIPO			Yes No
	AN21	WO 01/25466	04/12/2001	WIPO			Yes No
	AO21	WO 01/31039	05/03/2001	WIPO			Yes No
	AP21	WO 01/42509	06/14/2001	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	201	Botstein, D., *et al.*, "Making Mutations In Vitro and Putting Them Back Into Yeast," in *From Gene to Protein: Translation into Biotechnology*, Ahmad, F., *et al.*, eds., Academic Press, New York, NY, pp. 265-274 (1982)
	AS	201	Broach, J.R., "The Yeast Plasmid 2μ Circle," *Cell 28*:203-204, MIT (1982)
	AT	201	Cenatiempo, Y., "Prokaryotic gene expression *in vitro*: transcription-translation coupled systems," *Biochimie 68*:505-515, Elsevier (1986)

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	APPLICANTS Hartley *et al.*	
	FILING DATE January 30, 2002	ART UNIT 1636

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	AB22	2004/0040053	02/26/2004	Nomura *et al.*			11/22/2002
	AC22	2004/0053412	03/18/2004	Hartley *et al.*			03/26/2003
	AD22	2004/0063207	04/01/2004	Hartley *et al.*			10/08/2003
	AE22	6,720,140	04/13/2004	Hartley *et al.*			02/04/2000
	AF22	2004/0171156	09/02/2004	Hartley *et al.*			04/02/2004
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	AH22	2004/0219516	11/04/2004	Bennett *et al.*			07/18/2003
	AI22	2004/0219673	11/04/2004	Hartley *et al.*			03/10/2004
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	AK22	2004/0253631	12/16/2004	Hartley *et al.*			07/19/2004

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL22	WO 01/68836	09/20/2001	WIPO			Yes No
	AM22	WO 02/08391	01/31/2002	WIPO			Yes No
	AN22	WO 02/16594	02/28/2002	WIPO			Yes No
	AO22	WO 02/46372	06/13/2002	WIPO			Yes No
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FORM PTO-1449 FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.285000H/BJD/JKM	APPLICATION NO. 10/058,292
	APPLICANTS Hartley *et al.*	
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	AA23	2004/0265863	12/30/2004	Chesnut *et al.*			03/04/2004
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	AL23	WO 02/062957	08/15/2002	WIPO			Yes No
	AM23	WO 02/086144	10/31/2002	WIPO			Yes No
	AN23	WO 02/095055	11/28/2002	WIPO			Yes No
	AO23	WO 03/025161	03/27/2003	WIPO			Yes No
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	AM24	WO 04/009768	01/29/2004	WIPO			Yes No
	AN24	WO 04/013290	02/12/2004	WIPO			Yes No
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	AT	204	Hanks, S.K. and Hunter, T., "The eukaryotic protein kinase superfamily: kinase (catalytic) domain structure and classification," *FASEB J. 9*:576-596, The Federation of American Societies for Experimental Biology (May 1995)

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	AT	207	Mayer, B.J. and Baltimore, D., "Signalling through SH2 and SH3 domains," *Trends Cell Biol. 3*:8-13, Elsevier Science (1993)

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	AS	210	Sauer, B. and Henderson, N., "Targeted Insertion of Exogenous DNA into the Eukaryotic Genome by the Cre Recombinase," *New Biol. 2:*441-449, Saunders Scientific Publications/W.B. Saunders Company (1990)
	AT	210	Senecoff, J.F., *et al.*, "The FLP recombinase of the yeast 2-μm plasmid: Characterization of its recombination site," *Proc. Natl. Acad. Sci. USA 82:*7270-7274, National Academy of Sciences (1985)

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	APPLICANTS Hartley *et al.*	
	FILING DATE January 30, 2002	ART UNIT 1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	216	Office Action for U.S. Patent Application No. 09/907,719, mailed on July 13, 2004
	AS	216	Office Action for U.S. Patent Application No. 09/432,085, mailed on July 16, 2004
	AT	216	Office Action for U.S. Patent Application No. 10/058,291, mailed on September 22, 2004

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	AS	217	Office Action for U.S. Patent Application No. 09/855,797, mailed on October 1, 2004
	AT	217	Office Action for U.S. Patent Application No. 09/695,065, mailed on October 27, 2004

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	AR	218	Office Action for U.S. Patent Application No. 10/820,133 mailed on November 17, 2004
	AS	218	Office Action for U.S. Patent Application No. 09/907,719 mailed on December 28, 2004
	AT	218	Office Action for U.S. Patent Application No. 09/432,085, mailed on December 28, 2004

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	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	219	Office Action for U.S. Patent Application No. 10/796,868, mailed on January 25, 2005
	AS	219	U.S. Patent Application No. 09/984,239, Brasch *et al.*, filed October 29, 2001 (NOT PUBLISHED)
	AT	219	U.S. Patent Application No. 10/633,690, Byrd *et al.*, filed August 5, 2003 (NOT PUBLISHED)

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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	220	Dialog File 351, Derwent World Patent Index, unverified English Language Abstract for French Patent No. FR 2 670 502 (Document AL20) and PCT Patent No. WO 92/10577 (Document AM20), WPI Accession No. 9107201
	AS	220	Bruckner, R.C., and Cox, M.M., "The Histone-like H Protein of *Escherichia coli* is a ribosomal protein s3," *Nucl. Acids Res. 17*:3145-3161, Oxford University Press (1989)
	AT	220	Ohara, O., and Temple, G., "Directional cDNA library construction assisted by the *in vitro* recombination reaction," *Nucl. Acids Research 29*:e22(1-8), Oxford University Press (February 2001)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No.: 3058
HARTLEY *et al.*	Art Unit: 1636
Appl. No.: 10/058,292	Examiner: Guidry, G.L.
Filed: January 30, 2002	Atty. Docket: 0942.285000H/BJD/JKM
For: **Recombinational Cloning Using Engineered Recombination Sites**	

Sixth Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fifth Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application.

Copies of documents AO24 to AO25 and AR221 to AS226 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications documents AC23 to AC25, cited on the attached IDS Form, PTO/SB08A, are not submitted. In addition, copies of documents AT226 to AT227 are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited

pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system."

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

Application No. 11/106,715, Byrd et al., filed April 15, 2005 and listed as Document AT226;

Application No. 11/249,274, Hartley et al., filed October 14, 2005 and listed as Document AR227;

Application No. 11/251,821, Brasch et al., filed October 18, 2005 and listed as Document AS227; and

Application No. 11/290,804, Gray et al., filed December 1, 2005 and listed as Document AT227.

In accordance with the recent Federal Circuit decision in *Dayco Prods., Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. 2003), Applicants submit herewith Office Actions from:

the related co-pending U.S. Patent Application No. 09/432,085, Hartley et al, as Document AT223;

the related co-pending U.S. Patent Application No. 09/517,466, Hartley et al, as Document AR224;

the related co-pending U.S. Patent Application No. 09/855,797, Hartley et al, as Documents AS224 and AT224;

the related co-pending U.S. Patent Application No. 09/907,719, Hartley et al, as Document AR225;

the related co-pending U.S. Patent Application No. 10/058,291, Hartley et al, as Documents AS225 and AT225;

the related co-pending U.S. Patent Application No. 10/151,690, Brasch et al, as Document AR226;

the related co-pending U.S. Patent Application No. 10/162,879, Hartley et al, as Document AS226;

which are directed to related technical subject matter. The identification of these Office Actions and applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

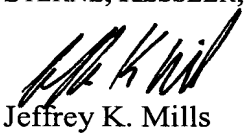
This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of $180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

Date: June 5, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known	
Application Number	10/058,292
Filing Date	January 30, 2002
First Named Inventor	James L. HARTLEY
Art Unit	1636
Examiner Name	Akhavan, R.
Attorney Docket Number	0942.285000H/RWE/BJD/JKM

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AC23	5,159,062	10/27/1992	Knapp *et al.*	
	AD23	5,286,632	02/15/1994	Jones	
	AE23	5,552,314	09/03/1996	Greener	
	AF23	5,695,971	12/09/1997	Kadokami *et al.*	
	AG23	5,733,733	03/31/1998	Auerbach	
	AH23	5,910,438	06/08/1999	Bernard *et al.*	
	AI23	5,981,177	11/09/1999	Demirjian *et al.*	
	AJ23	6,110,735	08/29/2000	Chartier *et al.*	
	AK23	6,120,764	09/19/2000	Graham *et al.*	
	AA24	6,121,043	09/19/2000	Cochran *et al.*	
	AB24	6,140,087	10/31/2000	Graham *et al.*	
	AC24	6,156,497	12/05/2000	Kaleko	
	AD24	6,228,646	05/08/2001	Hardy	
	AE24	6,281,000	08/28/2001	Chartier *et al.*	
	AF24	2003/0022179 A1	01/30/2003	Chesnut *et al.*	
	AG24	2003/0054552 A1	03/20/2003	Hartley *et al.*	
	AH24	2004/0132133 A1	07/08/2004	Bennett, Robert P.	
	AI24	2004/0253620 A1	12/16/2004	Leong *et al.*	
	AJ24	2005/0069929 A1	03/31/2005	Chestnut *et al.*	
	AK24	2005/0095615 A1	05/05/2005	Welch *et al.*	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	AO24	EP 0 542 466 A2	05/19/1993	The Wellcome Foundation Limited		
	AP24	WO 96/23904 A1	08/08/1996	Replicon, Inc.		
	AL25	WO 97/47758 A1	12/18/1997	Massachusetts Institute of Technology		
	AM25	WO 98/38326 A1	09/03/1998	Nature Technology Corporation		
	AN25	WO 2005/012487 A2	02/10/2005	Invitrogen Corporation		
	AO25	WO 2005/014796 A2	02/17/2005	Invitrogen Corporation		

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Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Sheet 2 of 2

Complete if Known	
Application Number	10/058,292
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First Named Inventor	James L. HARTLEY
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	AA25	2005/0176065 A1	08/11/2005	Hanson, George Thomas	
	AB25	2005/0181417 A1	08/18/2005	Miles *et al.*	
	AC25	2005/0208530 A1	09/22/2005	Chesnut *et al.*	

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Examiner Name	Akhavan, R.
Attorney Docket Number	0942.285000H/RWE/BJD/JKM

NON PATENT LITERATURE DOCUMENTS

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	AR221	Amin, A.A., *et al.*, "Synthesis of an Enzymatically Active FLP Recombinase In Vitro: Search for a DNA-Binding Domain," *Molec. Cell. Biol. 9*: 1987-1995, American Society for Microbiology (1989)	
	AS221	Bliska, J.B and Cozzarelli, N.R., "Use of Site-Specific Recombination as a Probe of DNA Structure and Metabolism *in Vivo*," *J. Molec. Biol. 194*:205-218, Academic Press Inc. (1987)	
	AT221	Chatterjee, P.K. and Sternberg, N.L., "Retrofitting High Molecular Weight DNA Cloned in P1: Introduction of Reporter Genes, Markers Selectable in Mammalian Cells and Generation of Nested Deletions," *Genet. Anal.: Biomolec. Eng. 13*:33-42, Elsevier Science B.V. (July 1996)	
	AR222	Huang, L.-C., *et al.*, "A bacterial model system for chromosomal targeting," *Nucl. Acids Res. 19*:443-448, Oxford University Press (1991)	
	AS222	Kanegae, Y., *et al.*, "Efficient gene activation in mammalian cells by using recombinant adenovirus expressing site-specific Cre recombinase," *Nucl. Acids Res. 23*:3816-3821, Oxford University Press (October 1995)	
	AT222	Lieber, A., *et al.*, "Recombinant Adenoviruses with Large Deletions Generated by Cre-Mediated Excision Exhibit Different Biological Properties Compared with First-Generation Vectors In Vitro and In Vivo," *J. Virol. 70*:8944-8960, American Society for Microbiology (December 1996)	
	AR223	Liu, X. and Gorovsky, M.A., "Mapping the 5' and 3' Ends of *Tetrahymena thermophelia* mRNAs Using RNA Ligase Mediated Amplification of cDNA Ends (RLM-RACE)," *Nucl. Acids Res. 21*:4954-4960, Oxford University Press (1993)	
	AS223	Wang, Y. *et al.*, "Targeted DNA recombination in vivo using an adenovirus carrying the cre recombinase gene," *Proc. Natl. Acad. Sci. USA 93*:3932-3936, National Academy of Sciences (April 1996)	
	AT223	Copy of Office Action for United States Patent Application No. 09/432,085, Hartley *et al.*, mailed June 16, 2005	
	AR224	Copy of Office Action for United States Patent Application No. 09/517,466, Hartley *et al.*, mailed November 18, 2005	

Examiner Signature		Date Considered	

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				Filing Date	January 30, 2002
				First Named Inventor	James L. HARTLEY
				Art Unit	1636
				Examiner Name	Akhavan, R.
Sheet	2	of	3	Attorney Docket Number	0942.285000H/RWE/BJD/JKM

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	AS224	Copy of Office Action for United States Patent Application No. 09/855,797, Hartley *et al.*, mailed April 20, 2005	
	AT224	Copy of Office Action for United States Patent Application No. 09/855,797, Hartley *et al.*, mailed October 11, 2005	
	AR225	Copy of Office Action for United States Patent Application No. 09/907,719, Hartley *et al.*, mailed July 26, 2005	
	AS225	Copy of Office Action for United States Patent Application No. 10/058,291, Hartley *et al.*, mailed April 28, 2005	
	AT225	Copy of Office Action for United States Patent Application No. 10/058,291, Hartley *et al.*, mailed October 21, 2005	
	AR226	Copy of Office Action for United States Patent Application No. 10/151,690, Brasch *et al.*, mailed April 18, 2005	
	AS226	Copy of Office Action for United States Patent Application No. 10/162,879, Hartley *et al.*, mailed October 20, 2005	
	AT226	United States Patent Application No. 11/106,715, Byrd *et al.*, filed April 15, 2005	
	AR227	United States Patent Application No. 11/249,274, Hartley *et al.*, filed October 14, 2005	
	AS227	United States Patent Application No. 11/251,821, Brasch *et al.*, filed October 18, 2005	

Examiner Signature		Date Considered	

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(Use as many sheets as necessary)

Sheet 3 of 3

Complete if Known	
Application Number	10/058,292
Filing Date	January 30, 2002
First Named Inventor	James L. HARTLEY
Art Unit	1636
Examiner Name	Akhavan, R.
Attorney Docket Number	0942.285000H/RWE/BJD/JKM

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T[2]
	AT227	United States Patent Application No. 11/290,804, Gray *et al.*, filed December 1, 2005	

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